



LAHIVE
&
COCKFIELD
LLP

COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109-1784
TELEPHONE (617) 227-7400
FAX (617) 742-4214
lc@lahive.com

JOHN A. LAHIVE, JR. (1926-1997)
THOMAS V. SMURZYNSKI
RALPH A. LOREN
GIULIO A. DeCONTI, Jr.
ELIZABETH A. HANLEY
AMY E. MANDRAGOURAS
ANTHONY A. LAURENTANO
KEVIN J. CANNING
JANE E. REMILLARD
DeANN F. SMITH
DEBRA J. MILASINCIC, Ph.D.
DAVID J. RIKKERS
DAVID R. BURNS
JOHN S. CURRAN
SEAN D. DETWEILER
MEGAN E. WILLIAMS, Ph.D.
LISA M. DIROCCO
HATHAWAY P. RUSSELL *

MARIA LACCOTRIPE ZACHARAKIS, Ph.D.
MERIDETH C. ARNOLD
DANIELLE L. HERRITT
EUIHOON H. LEE **
MANEESH GULATI

SENIOR COUNSEL
JAMES E. COCKFIELD

OF COUNSEL
JEREMIAH LYNCH
WILLIAM A. SCOFIELD, Jr.
SIBLEY P. REPPERT
JEANNE M. DIGIORGIO
CYNTHIA L. KANIK, Ph.D.
JOHN D. LANZA

PATENT AGENTS
THEODORE R. WEST
CYNTHIA M. SOROOS
PETER W. DINI, Ph.D.
JONATHAN M. SPARKS, Ph.D.
ANDRINA WILLIAMS ZINK

TECHNICAL SPECIALISTS
CATHERINE M. BISHOP
JACOB G. WEINTRAUB
CRISTIN E. HOWLEY, Ph.D.
JILL A. MELLO, Ph.D.
DEBORAH L. NAGLE, Ph.D.
A. JACQUELINE NOWAK, Ph.D.

* Admitted in TX only
** Admitted in CT only

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 7, 2003

RECEIVED

OCT 21 2003

TC 1700

Re: U.S. Patent Application No.: 10/058657
For: FUEL CELL AND FUEL CELL STACK
Inventors: Suenaga, Toshihiko, *et al.*
Filed: January 28, 2002
Our Ref. No.: SIW-031

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Supplemental Information Disclosure Statement;
2. PTO Form 1449;
3. Copies of references cited in PTO Form 1449 (3); and
4. A Return Postcard.

No additional costs are believed to be due in connection with the filing of this Information Disclosure Statement. However, please charge any necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080. For this purpose, a duplicate of this sheet is attached.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

October 7, 2003

Anthony A. Laurentano, Esq., Reg. No. 38,220

Respectfully submitted,
LAHIVE & COCKFIELD, LLP

Anthony A. Laurentano, Esq.
Registration No. 38,220
Attorney for Applicants



RECEIVED

OCT 21 2003

TC 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

the application of: Suenaga, Toshihiko, *et al.*

Serial No.: 10/058657

Filed: January 28, 2002

For: FUEL CELL AND FUEL CELL STACK

Attorney Docket No.: SIW-031

Group Art Unit: 1745

Examiner: Not Yet Assigned

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

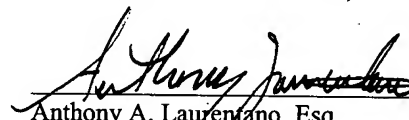
Certificate of First Class Mailing (37 CFR §1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.

October 7, 2003

Date of Signature and of Mail Deposit

By:


Anthony A. Laurentano, Esq.
Registration No. 38,220
Attorney for Applicants

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

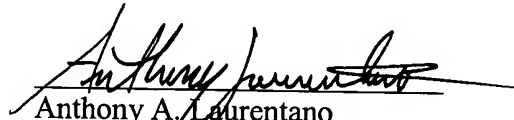
Applicants and their Attorney have become aware of three publications cited in an Office Action issued August 29, 2003, during the prosecution of Japanese Patent Application No. 2000-005333, which relates to the above referenced application. In accordance with 37 CFR §1.97, Applicants hereby submit three publications, including English abstracts, for the Examiner's consideration. A PTO Form 1449 and a copy of the publications, including English abstracts, are enclosed.

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, the Applicants understand that the Examiner will make an independent evaluation of each cited publication.

In accordance with 37 CFR §1.97(e)(1), the undersigned hereby certifies that the item contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application *for the first time* not more than three months prior to the filing of this statement.

Applicants believe no fee is due with this submission. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. SIW-031, from which the undersigned is authorized to draw.

Respectfully submitted,
LAHIVE & COCKFIELD, LLP


Anthony A. Laurentano
Registration No. 38,220
Attorney for Applicant

28 State Street
Boston, MA 02109
(617) 227-7400

Date: October 7, 2003
AAL/lgh
Enclosures

